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Practitioner's Docket No. FORE-CRESC-006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Ronald L. Pettyjohn, Walter C. Milliken
Application No.: 10/056,609 Group No.: 2151
Filed: January 24, 2002 Examiner: John B. Walsh
For: OPERATION OF A MULTIPLICITY OF TIME SORTED QUEUES WITH REDUCED MEMORY

Mail Stop Petition AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed April 16, 2007, for a second time rejecting claims 1-4 and 6-20.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

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Date: 7/13/07

Tracey L. Klaas
Signature

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Tracey L. Klaas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

TOTAL FEE DUE \$500.00

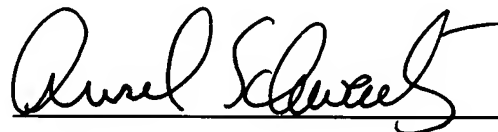
5. FEE PAYMENT

Attached is a check in the amount of \$500.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.



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